



**DEFENSE LOGISTICS AGENCY
DEFENSE NATIONAL STOCKPILE CENTER
8725 JOHN J. KINGMAN ROAD, SUITE 4616
FT. BELVOIR, VIRGINIA 22060-6223**



IN REPLY
REFER TO **DNOSC-S3**

JULY 12, 2000

**AMENDMENT NO. 009
TO INVITATION OF BIDS
DLA-ZINC-B-2000 FOR ZINC**

The above referenced Invitation for Bids, DLA-ZINC-B-2000, dated September 28, 1999, for zinc is hereby amended to update the listing of available material and the requirement for submissions of certifications as follows:

1. Amendment Numbers 001, 002, 003, 004, 005, 006, 007, and 008 are deleted and no longer applicable to offerings of zinc under Invitation for Bids DLA-ZINC-B-2000.
2. Section A - Invitation, Subsection A.1 Introduction (NOV 98): Delete Paragraph a. and insert the following:
 - a. The Defense Logistics Agency (DLA), Defense National Stockpile Center (DNOSC) is soliciting bids for the sale of approximately 4,000,000 pounds (2,000 short tons) of zinc once a month. Bid openings are scheduled for 1:00 p.m., local time, on the **third Tuesday of each month**. Bids must be received at the address in Section **B.2.a** by 1:00 p.m., local time. If DNOSC is otherwise closed at that date and time, bids for that day will be received at 1:00 p.m., local time, on the next DNOSC business day.
3. Section A - Invitation, Subsection A.2 Description (JAN 95):
 - a. Delete Paragraph **b.** and replace with the following:
 - b.** The material is High and Prime Western Grades. The High Grade brands are Anaconda, Electrolytic, Page Electro, CMR Pioche, and U.S. Smelting. The Prime Western brands are Rothem, VM, Weser, Prayon, EP, Donora, AMA, St. Joe, Eagle Pitcher and National.
4. Section B - Preparation and Submission of Bids, Subsection B.1 Submittals (JAN 95):
 - a. Delete Paragraph **c.** and replace with the following:
 - c.** Section **I.3** Certificate of Independent Price Determination (JUL 97)
 - b.** Add Paragraph **d.** as follows:
 - d.** Section **I.4** Certification Regarding Debarment, Suspension, Proposed Debarment, Environmental Compliance and Other Responsibility Matters (JUL 97)
 - c.** Add Paragraph **e.** as follows:
 - e.** Representations, Certifications and Identifications at Sections **I.5** through **I.9**. Bidders please note: If Annual Representations, Certifications and Identifications have previously been submitted they need not be resubmitted unless there has been a change in the information.

5. Section I - Submittals: Delete "COMPLETE AND RETURN ALL OF THE FOLLOWING WITH YOUR BID, UNLESS ANNUAL REPRESENTATIONS, CERTIFICATIONS, AND IDENTIFICATIONS HAVE BEEN SUBMITTED, THEN SUBMIT I.1 AND I.2 ONLY:" and replace with the following:

"COMPLETE AND RETURN ALL OF THE FOLLOWING WITH YOUR BID, UNLESS ANNUAL REPRESENTATIONS, CERTIFICATIONS, AND IDENTIFICATIONS HAVE BEEN SUBMITTED, THEN SUBMIT I.1, I.2 , I.3 AND I.4 ONLY:"

6. All references to Section I.2 Zinc Bid Page shall be updated to read: "Section I.2 Zinc Bid Page (JULY 00)."

7. All previous Sections I.2 Zinc Bid Page are deleted and the attached Section I.2 Zinc Bid Page (JULY 00) is inserted therefor.

8. All references to Section J.2 Storage Locations shall be updated to read: "Section J.2 Storage Location (JULY 00)."

9. All previous Sections J.2 Storage Locations are deleted and the attached Section J.2 Storage Location (JULY 00) is inserted therefor.

Bidders shall indicate acknowledgement of receipt of this amendment by signing in the space provided below and returning this form and the attached Sections **I.1 Sale of Government Property Bid and Award (JAN 95)** , **I.3 Certificate of Independent Price Determination (JUL 97)** and **I.4 Certification Regarding Debarment, Suspension, Proposed Debarment, Environmental Compliance and Other Responsibility Matters (JUL 97)** along with their bid to: ATTN: Bid Custodian (DNSC-L), Defense National Stockpile Center, 8725 John J. Kingman Road, Suite 4616 (Mail) or Suite 4528 (Hand-Delivered), Fort Belvoir, VA 22060-6223 or Facsimile Number: (703) 767-5541 or 5542.

Failure to acknowledge receipt of this amendment may result in the bidder being ineligible for award. Except as provided herein, all other terms and conditions of DLA-ZINC-B-2000 remain unchanged and in full force and effect.

NAME OF FIRM: _____

ADDRESS: _____

TELEPHONE: _____

FACSIMILE: _____

BY: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

DLA-ZINC-B-2000

I.1 Sale of Government Property Bid and Award (JAN 95)

SALE OF GOVERNMENT PROPERTY BID AND AWARD

BID (This Section to be completed by the Bidder)	DATE OF BID (Day, month, and year) _____ 20_____
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In compliance with this Invitation and subject to the Terms and Conditions cited within, the undersigned offers and agrees, if this Bid is accepted within 2 working days after the date of Bid opening to purchase and pay for any and all of the items or lots of property listed in Section I.2, and to remove the property within the time specified in the Invitation after contract award by the Government. The total amount bid is \$ _____.

EXECUTION BY BIDDER	EXECUTION BY GOVERNMENT
DATE (Day, Month, Year) _____	DATE OF ACCEPTANCE (Day, Month, Year) _____
NAME OF COMPANY _____	CONTRACT NUMBER _____
ADDRESS (Street, City, State & Zip Code) (Type or Print) _____ _____ _____ Telephone Number: _____ Facsimile Number: _____	TOTAL AMOUNT \$ _____ _____ UNITED STATES OF AMERICA BY: _____
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SIGN THIS BID (Type or print name and title under signature) _____ _____	NAME AND TITLE OF CONTRACTING OFFICER _____ Contracting Officer, DNSC-P
ZINC ITEMS AWARDED (To Be Completed by the Government) _____ _____ _____ CONTRACT PERIOD EXPIRES ON: _____	

Section I.2 Zinc Bid Page (JULY 00)

ITEM	LOCATION	GRADE	BRAND	POUNDS (LB)	BID QUANTITY (LB)	UNIT PRICE/ (LB)	TOTAL BID PRICE
29	CHAMBERSBURG, PA	H.G.	ANACONDA	2,200,211			
30	CHAMBERSBURG, PA	H.G.	ELECTROLYTIC	1,100,105			
31	CHAMBERSBURG, PA	H.G.	PAGE ELECTRO	469,584			
45	CHAMBERSBURG, PA	H.G.	CMR PIOCHE	125,663			
46	CHAMBERSBURG, PA	H.G.	U.S. SMELTING	22,046			
35	CHAMBERSBURG, PA	P.W.	ROTHEM	319,670			
36	CHAMBERSBURG, PA	P.W.	VM	94,798			
37	CHAMBERSBURG, PA	P.W.	WESER	68,343			
39	CHAMBERSBURG, PA	P.W.	PRAYON	2,204			
49	CHAMBERSBURG, PA	P.W.	EP	2,502,340			
50	CHAMBERSBURG, PA	P.W.	DONORA	2,639,604			
Depot Total:				9,544,569			
70	MARIETTA, PA	PW	AMA	2,995,693			
71	MARIETTA, PA	PW	ST JOE	10,852,994			
72	MARIETTA, PA	PW	EAGLE PICHER	2,563,936			
73	MARIETTA, PA	PW	NATIONAL	7,297			
	TOTAL BID						

Company: _____

Name of Authorized Company Official: _____

Title of Authorized Company Official: _____

Signature: _____

Date: _____

Telephone Number: _____

Facsimile Number: _____

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I.3 Certificate of Independent Price Determination (JUL 97)

a. The bidder certifies that:

(1) The prices in this bid have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other Bidder or competitor relating to (i) those prices, (ii) the intention to submit an bid, or (iii) the methods or factors used to calculate the prices bid;

(2) The prices in this bid have not been and will not be knowingly disclosed by the bidder, directly or indirectly, to any other bidder or competitor before bid opening (in the case of a sealed bid invitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law; and

(3) No attempt has been made or will be made by the bidder to induce any other concern to submit or not to submit a bid for the purpose of restricting competition.

b. Each signature on the bid is considered to be a certification by the signatory that the signatory:

(1) Is the person in the bidder's organization responsible for determining the prices being bid, and that the signatory has not participated and will not participate in any action contrary to subparagraphs **a.(1)** through **a.(3)** above; or

(2)(i) Has been authorized, in writing, to act as agent for the following principals in certifying that those principals have not participated, and will not participate in any action contrary to subparagraphs **a.(1)** through **a.(3)**, above

(insert full name of person(s) in the bidder's organization responsible for determining the prices bid, and the title of his or her position in the bidder's organization);

(ii) As an authorized agent, does certify that the principals named in subdivision **b.(2)(i)** above have not participated, and will not participate, in any action contrary to subparagraphs **a.(1)** through **a.(3)** above; and

(iii) As an agent, has not personally participated, and will not participate, in any action contrary to subparagraphs **a.(1)** through **a.(3)** above.

c. If the bidder deletes or modifies subparagraph **a.(2)** above, the Bidder must furnish with its bid a signed statement setting forth in detail the circumstances of the disclosure.

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I.4 Certification Regarding Debarment, Suspension, Proposed Debarment, Environmental Compliance and Other Responsibility Matters (JUL 97)

a. (1) The Bidder certifies, to the best of its knowledge and belief, that -

(i) The Bidder and/or any of its Principals -

(A) Are (____) are not (____) presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;

(B) Have (____) have not (____), within a three-year period preceding this bid, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state or local) contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of bids; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; and

(C) Are (____) are not (____) presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in subdivision **a. (1)(i)(B)** of this provision.

(D) Are ____ are not ____ presently indicted for or otherwise criminally or civilly charged by a Federal, state or local entity with violation of any environmental laws;

(E) Have ____ have not ____ within the three-year period preceding this bid, been convicted of or had a civil judgment rendered against them for violation of a Federal, state or local environmental statute or regulation.

(ii) The Bidder has (____) has not (____), within a three-year period preceding this bid, had one or more contracts terminated for default by any Federal agency.

(2) "Principals," for the purposes of this certification, means officers; directors; owners; partners; and, persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment, and similar positions).

(3) If the Bidder answers affirmatively to anything in **a.(1)**, above, the Bidder shall include in its bid an explanation of the circumstances, including the outcome.

This certification concerns a matter within the jurisdiction of an agency of the United States and the making of a false, fictitious, or fraudulent certification may render the maker subject to prosecution under section 1001, title 18, United States Code.

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b. The Bidder shall provide immediate written notice to the Contracting Officer if, at any time prior to contract award, the Bidder learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

c. A certification that any of the items in paragraph **a.** of this provision exists will not necessarily result in withholding of an award under this Invitation. However, the certification will be considered in connection with a determination of the Bidder's responsibility. Failure of the Bidder to furnish a certification or provide such additional information as requested by the Contracting Officer may render the Bidder nonresponsible.

d. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph **a.** of this provision. The knowledge and information of a Bidder is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

e. The certification in paragraph **a.** of this provision is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Bidder knowingly rendered an erroneous certification, in addition to the other remedies available to the Government, the Contracting Officer may terminate the contract resulting from this Invitation for default.

I.5 Type of Business Organization (APR 96)

The Bidder represents that--

a. It operates as ☐ a corporation incorporated under the laws of the State of _____, ☐ an individual, ☐ a partnership, ☐ a nonprofit organization, or ☐ a joint venture.

b. If the Bidder is a foreign entity, it operates as ☐ an individual, ☐ a partnership, ☐ a nonprofit organization, ☐ a joint venture, or ☐ a corporation registered for business in _____(country).

c. If the Bidder is a corporation, it is ☐ independent (not owned or controlled by another company), ☐ owned or controlled by _____corporation company registered for business in _____(state/country).

d. If the Bidder is owned or controlled by another, state the relationship (e.g., wholly owned subsidiary, etc.):_____

e. The Bidder agrees to provide additional information relating to the above representations if requested to do so by the Contracting Officer.

J.2 STORAGE LOCATION (JULY 00)

<u>SITE</u>	<u>HOURS</u>	<u>DAYS</u>	<u>AVAILABLE TRANSPORTATION</u>	<u>RESPONSIBLE DEPOT</u>	<u>UNSTAFFED LOCATIONS</u>
Chambersburg, PA	1200-1500 0645-1445 0645-1000	Mon Tue-Thu Fri	Truck	Somerville	Yes
Marietta, PA	1100-1500 0645-1500 0645-1200	Mon Tue-Thu Fri	Truck	Somerville	Yes

Point of Contact:

Mr. LANCE KUALII
STRATEGIC MATERIALS MANAGEMENT DIVISION
8725 JOHN J. KINGMAN ROAD, SUITE 4616
FT. BELVOIR, VA 22060
Tele: (703) 767-7607
Fax: (703) 767-7608